



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 11, 2018

BY ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Alain Kaloyeros*, S2 16 Cr. 776 (VEC)

Dear Judge Caproni:

The Government respectfully writes regarding defendant Alain Kaloyeros's motion to suppress the fruits of the Government's search of the iPhone forensic image provided by the New York State Attorney General's Office (the "Forensic Image"). (*See* Dkt. No. 172.) In the course of preparing for the upcoming trial in this matter scheduled for June 11, 2018, the Government has determined that it will not seek to introduce in its case-in-chief any evidence the Government has obtained or derived from the Forensic Image.

Accordingly, the Government respectfully submits that Kaloyeros's motion to suppress is moot, and that no evidentiary hearing is necessary.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: /s/
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cc: Counsel for all defendants (via ECF)